

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of
Ogallo Hellon
Respondent

Civil Citation No. 67876
3107 Northmont Road

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on January 12, 2010 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-312; Baltimore County Zoning Regulations (BCZR) section 1B01, failure to clean the exterior premise of all junk, trash and debris on residential property known as 3107 Northmont Road, 21244.

On December 15, December 15, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Paul Cohen issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$18,400.00 (eighteen thousand four hundred dollars).

The following persons appeared for the Hearing and testified: Hellon Ogallo, Respondent and, Paul Cohen, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 15, 2009 for removal of open dump/junk yard, remove trash and debris. This Citation was issued on December 15, 2009.

B. Inspector Paul Cohen testified that his inspection found junk, trash and debris at this property. An old shed had been torn down, and the contents remained spread in the yard. He testified that he gave time extensions for cleanup because he observed some progress being made in cleaning up. Re-inspection on January 8, 2010 found some junk and debris still in the yard. Photographs in the file show large piles of junk and debris. Photographs dated January 8, 2010, with snow on the ground, show improvement but still at least one large part of the torn down shed in the yard.

C. Respondent Ogallo testified that the remaining junk and debris has been removed prior to this Hearing and that the property has been cleaned up. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if re-inspection finds the violations corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if re-inspection finds the violations corrected.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 25th day of January 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.